

Remarks

I. Status of Claims

Claims 1, 3-12, and 14-18 are pending in the application. Claims 1 and 11-12 are independent. Claims 2 and 13 are canceled without prejudice and/or disclaimer to the subject matter therein. Claims 1 and 11-12 are amended.

Claims 1, 3-12, and 14-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tabata *et al.* (JP10-304514) in view of Nada (EP1147937A2).

II. Pending Claims

Claims 1, 11-12, and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tabata *et al.* (JP10-304514) in view of Nada (EP1147937A2).

The Applicant respectfully submits that claims 1 and 11 are patentable over the cited references at least because they recite, “wherein the variation in driver's accelerator operation represents a rate of change relative to a reference accelerator operation at a time of detection of a skid by said skid detection module.”

The Applicant respectfully submits that claim 12 is patentable over the cited references at least because it recites, “wherein the variation in driver's accelerator operation represents a rate of change relative to a reference accelerator operation at a time of detection of a skid by said step (a).”

Independent claims 1 and 11-12 regard torque restriction cancellation control modules and method steps for setting torque restriction, which in response to at least a reducing tendency of the skid, cancel the torque restriction, such as by the torque restriction control module, to a specific degree corresponding to a variation in driver's accelerator operation. The variation in driver's accelerator operation represents a rate of change relative to a reference accelerator operation at a time of detection of a skid by the skid detection module.

In contrast, Nada '937 refers to a torque restriction cancellation control module that, in response to at least a reducing tendency of the skid, cancels the torque restriction to a specific degree corresponding to a driver's accelerator operation. Nada, however, does not teach and/or suggest canceling the torque restriction to a specific degree corresponding to a variation in

driver's accelerator operation, which represents a rate of change relative to a reference accelerator operation at a time of detection of a skid by the skid detection module.

In addition, Tabata '514 refers to measuring an angular acceleration of a drive shaft of the motor, and detecting a skid due to wheel spin of the drive wheels based on the measured angular acceleration. However, "a torque restriction cancellation control module" or "method step of "setting torque restriction," which cancel the torque restriction to a specific degree corresponding to a variation in driver's accelerator operation, which represents a rate of change relative to a reference accelerator operation at a time of detection of a skid by the skid detection module, and controls the motor, are not taught and/or suggested.

Thus, neither Nada '937 nor Tabata '514 teaches and/or suggests "a torque restriction cancellation control module" or method step of "setting torque restriction" as recited in the independent claims.

For at least these reasons, claims 1 and 11-12, as well as their dependent claims, are patentable over the cited references.

III. Conclusion

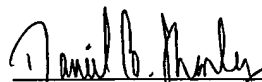
In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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